

COMMITTEE STATEMENT

LB 446

HEARING DATE: 2/16/99

COMMITTEE ON: Transportation

TITLE: (Transportation Committee, Tyson) Adopt the Nebraska Public Safety Wireless Communication System Act

ROLL CALL VOTE – FINAL COMMITTEE ACTION

X Advanced to General File

Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8	Yes	Senators Dw. Pederson, C. Peterson, Baker, Janssen, Jones, Hudkins, Bromm, Thompson
	No	
	Present, not voting	
	Absent	

PROPOSERS

Neil A. Miller
Sheila Schukei
Lance Webster
Tom Nesbitt
Tom Casady
Ted Blume
Mary Sommermeyer
Gregory Koinzan

REPRESENTING

NE Sheriff's Assn
City of Norfolk
Wayne Police Dept.
State Patrol
Lincoln Police Dept.
NE Game & Parks Comm.
League of NE Municipalities
City/County Law Enforcement, Dakota County
EMA, Dakota County Commissioners

OPPOSERS

REPRESENTING

NEUTRAL

Mike Jeffres
Shelley Sahling

REPRESENTING

DAS Communications
LES

COMMITTEE STATEMENT

SUMMARY OF PURPOSE AND/OR CHANGES:

LB 446 enacts the "Nebraska Public Safety Wireless Communication System Act."

1. Legislative findings are made, including the following:
 - (a) State resources must be effectively directed in times of emergencies;
 - (b) Public safety agencies fulfill this unique role;
 - (c) Effective communication is key to public safety's fulfilling of its role;
 - (d) Current communications equipment is non-compatible, archaic, obsolete, and raises concerns about secure communications.
 - (e) Current technologies would increase efficient communication and allow for secure communications;
 - (f) The cost of investing in new communications technologies is something that must be borne by the state and local entities to create a seamless statewide network;
 - (g) The statewide network must balance local and statewide needs with respect to compatibility, communications equipment and coordination, and must have a means of ensuring needs are both identified and met;
 - (h) Before implementation, there must be a process for ongoing implementation, management, review and improvement of a statewide system.
2. The Public Safety Wireless Communication Advisory Board and the Department of Administrative Service's Division of Communication are given joint responsibility to design and implement a statewide seamless wireless communication system.
3. After assessing statewide needs, the board and division are charged with developing an implementation plan, that must address the following:
 - (a) Outline the needs of the system, including capacity that;
 - (i) Supports statewide voice and data radio communications,
 - (ii) provides wide-area and roaming access,
 - (iii) permits agencies to interoperate, but preserves day-to-day autonomy,
 - (iv) supports public safety coverage requirements,
 - (v) supports public safety technology requirements;
 - (b) List the phases in developing the system, including timelines for migration of agencies from their current to their future equipment and infrastructure
 - (c) Detail estimates of cost, including operating costs, incentive funds, and subscriber fees.
 - (d) The bill then requires that the division and board use a consultant to help plan this whole process.
4. The board is obligated to cooperate with the Intergovernmental Data Communications Advisory Council, the Nebraska Information Technology Commission, and the Criminal Justice Advisory Committee. The board shall focus on maximizing available resources, minimizing duplication, using current equipment if feasible, and leasing equipment when feasible. *However*, all such uses are to take into consideration the unique needs of public safety agencies. The board is given the power to issue regulations, and upon completion, the specifications and plan shall be used to initiate a request for procurement (RFP) to select a system vendor: a consultant is authorized assist in developing the implementation plan.
5. A new duty is created for the division and board to help public safety agencies to interface their existing equipment, if feasible, and to join the statewide system. The authority to purchase their own equipment is preserved for local agencies; however, a subscriber fee to maintain service with the network is required. Monies collected from fees, grants or other monies collected for the system will be held in the Public Safety Communications Fund. The board is given oversight over any expenditure from the fund.

COMMITTEE STATEMENT

6. The board may create incentives of various types to encourage local agencies to migrate to the statewide network.
7. The powers of the board and division after the installation of the system are enumerated:
 - (a) The Division should:
 - (i) operate , maintain, and manage the system;
 - (ii) supervise migration to the system and prioritize those who have joined the system;
 - (iii) assess the need for and cost of upgrades or expansions;
 - (b) The Board should
 - (i) develop proposals for the administration of system resource, upgrades, and expansions,
 - (ii) determine the availability for financial resources for upgrades, etc.,
 - (iii) assess the communications needs of public safety agencies,
 - (iv) remain breast of new development in technology as it applies,
 - (v) coordinate communication strategy with other entities;
 - (vi) oversee and expenditures from the public Safety Communications fund.
8. Members of the board shall include representatives of the following:
 - (a) Division of Communications;
 - (b) Department of Correctional Services;
 - (c) Department of Roads;
 - (d) Games and Parks Commission;
 - (e) Nebraska State Patrol;
 - (f) Nebraska Emergency Management Agency;
 - (g) Nebraska County Sheriffs Association;
 - (h) Nebraska League of Municipalities;
 - (i) Police Officers Association of Nebraska;
 - (j) Nebraska County Association of County Officials;
 - (k) Criminal Justice Advisory Committee;
 - (l) A professional firefighters;
 - (m) A volunteer firefighters; and
 - (n) An emergency medical service representative.
 - (o) A chairperson of the board is to be annually elected.
9. The representatives of state government and law enforcement are to be appointed by their respective organizations; however, the last three “generic” appointments are to be made by the governor.
10. The board must hold at least 4 meetings annually, the first one being convened at least 60 after the effective date of this act.
11. The board must produce and annual report to the legislature, reporting on the progress towards the statewide radio communications commission.
12. New duties of cooperation are added to the current duties of Intergovernmental Data Communications Advisory Council, the Geographic Information System Steering Committee and the Nebraska Information Technology Commission.

COMMITTEE STATEMENT

13. In § 85-1503, which governs exemptions from the authority of the Nebraska Information Technology Commission, a new exemption is created for the Nebraska Public Safety Wireless Communications Board.
14. The bill contains the emergency clause.

EXPLANATION OF AMENDMENTS, IF ANY:

Senator